

**PRELIMINARY AMENDMENT
DIV of USSN 09/429,003**

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS:

Claim 1. (Original) A method of preparing a gene transcript pattern probe kit for diagnosing or identifying a disease or condition or stage thereof in a prokaryotic or eukaryotic organism comprising at least the steps of:

- a) isolating mRNA from the tissue, cells or body fluid of a normal prokaryotic or eukaryotic organism (normal sample);
- b) isolating mRNA from the corresponding tissue, cells or body fluid of an organism of step a) having the disease or condition of interest or a stage thereof (diseased sample);
- c) separating the mRNA of steps a) and b), which may optionally be reverse transcribed to cDNA, by a non-sequence based separation technique;
- d) selecting two or more mRNA or cDNA species which are present at different levels in the normal and diseased samples;
- e) isolating the mRNA or cDNA species identified in step d);
- f) optionally reverse transcribing the mRNA of step d) or e) to cDNA, unless this has previously been performed in step c); and
- g) immobilizing the mRNA or cDNA probes of step e) or f) on one or more solid supports.

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Claims 2-17. (Cancelled).